

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

Index No.:

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JOSHUA R. HOSTEN,

Plaintiffs,

-against-

SINGH SUKHVIR DHALIWAL, and
NEW-WAY TRUCKING, LTD.,

Defendants,

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SUMMONS

Plaintiff designates Queens
County as the place of trial.

The basis of venue is:
Place of accident

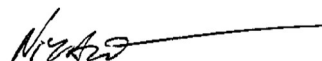
South Conduit Avenue &
Rockaway Boulevard

To the above-named Defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the date of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Queens, New York
Dec. 3, 2021

Yours, etc.



NIYAZOV LAW GROUP, P.C.
BY: Ariel Niyazov, Esq.
159-16 Union Turnpike, Suite 300
Fresh Meadows, NY 11366
(347) 702-9898

TO: SINGH SUKHVIR DHALIWAL
29 Great Plains St
Brampton, ON, L6R1Z5

**** Please submit these papers to your insurance carrier ****

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

Index No.:

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JOSHUA R. HOSTEN,

Plaintiffs,

-against-

VERIFIED COMPLAINT

SINGH SUKHVIR DHALIWAL, and
NEW-WAY TRUCKING, LTD.,

Defendants,

-----X

Plaintiff, by their attorneys, the **NIYAZOV LAW GROUP, P.C.**, complaining of the
Defendants above named, respectfully allege as follows:

THE PARTIES

1. Plaintiff, **JOSHUA R. HOSTEN**, is an individual residing at Richmond County, in the State of New York.
2. Defendant, **SING SUKHVIR DHALIWAL**, is an individual residing in the city of Brampton, in the Province of Ontario, Canada.
3. Defendant, **NEW-WAY TRUCKING, LTD.**, is a foreign corporation, incorporated pursuant to the laws of the Province of Winnipeg, Canada.
4. The defendant, **NEW-WAY TRUCKING, LTD.**, at all times herein mentioned, was and still is a foreign corporation duly licensed and authorized to do business in the State of New York.
5. The defendant, **NEW-WAY TRUCKING, LTD.**, at all times herein mentioned, conducted and carried on business in the County of Queens, in the State of New York.
6. The defendant, **NEW-WAY TRUCKING, LTD.**, at all times herein mentioned, derived substantial revenue from goods used or consumed or services rendered in the State of New York.

7. The defendant, **NEW-WAY TRUCKING, LTD.**, at all times herein mentioned, derived substantial revenue from interstate or international commerce.
8. On March 8, 2021, plaintiff, **JOSHUA R. HOSTEN**, was the registered owner of a 2013 Nissan motor vehicle bearing New York State license plate number JLH6037.
9. On March 08, 2021, plaintiff, **JOSHUA R. HOSTEN**, maintained said 2013 Nissan motor vehicle bearing New York State license plate number JLH6037.
10. On March 08, 2021, plaintiff, **JOSHUA R. HOSTEN**, operated and controlled said 2013 Nissan motor vehicle bearing New York State license plate number JLH6037.
11. On March 08, 2021, defendant, **NEW-WAY TRUCKING, LTD.**, was the registered owner of a 2019 Mack Truck motor vehicle bearing Manitoba license plate number CJC554.
12. On March 08, 2021, defendant, **NEW-WAY TRUCKING, LTD.**, maintained and controlled said 2019 Mack Truck motor vehicle bearing Manitoba license plate number CJC554.
13. On March 08, 2021, defendant, **SINGH SUKHVIR DHALIWAL**, operated said 2019 Mack Truck motor vehicle bearing Manitoba license plate number CJC554, with full expressed or implied knowledge, permission and/or consent of its registered owner.

THE OCCURRENCE

14. On March 08, 2021, at approximately 8:30 p.m., defendant, **SINGH SUKHVIR DHALIWAL**, was operating said 2019 Mack Truck motor vehicle bearing Manitoba license plate number CJC554, on South Conduit Avenue and Rockaway Boulevard, in the County of Queens, in the State of New York.
15. On March 08, 2021, South Conduit and Rockaway Boulevard, in the County of Queens, in the State of New York was and still is a public roadway in common use by the general

public.

16. On March 08, 2021, at the above time and place, the motor vehicle operated by defendant, **SINGH SUKHVIR DHALIWAL**, forcibly struck the vehicle operated by plaintiff, **JOSHUA R. HOSTEN**.

FIRST CAUSE OF ACTION

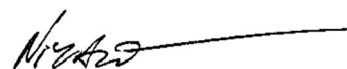
17. The aforesaid occurrence and resulting serious personal injuries to the plaintiff, **JOSHUA R. HOSTEN**, were due solely to the carelessness, recklessness and negligence of the defendant, **SINGH SUKHVIR DHALIWAL**, without any fault or wrong-doing on the part of the plaintiff, **JOSHUA R. HOSTEN**, contributing hereto.
18. By reason of said occurrence defendant, **SINGH SUKHVIR DHALIWAL**, was negligent careless and reckless in the ownership, operation, management, maintenance, supervision, use and control of the aforesaid vehicles and the defendant was otherwise negligent, careless, and reckless under the circumstance then and there prevailing.
19. By reason of the aforesaid occurrence, plaintiff, **JOSHUA R. HOSTEN**, was caused to sustain bodily injuries, both internally and externally, suffered physical pain and mental anguish, was rendered sick/sore, lame and disabled and so remains, since the said occurrence, plaintiff has suffered and continues to suffer mental anguish. Plaintiff has been compelled to spend money and in our expenses for physician services and medical expenses for the care and treatment of her injuries. In addition, plaintiff will be compelled to spend additional sums of money and incur further obligations in the future, for additional physician and psychiatric services and medical expenses for the further care and treatment of her injuries.
20. That by reason of the foregoing, Plaintiff, **JOSHUA R. HOSTEN**, was injured.
21. That by reason of the foregoing, Plaintiff, **JOSHUA R. HOSTEN**, was seriously

- injured.
22. That by reason of the foregoing, Plaintiff, **JOSHUA R. HOSTEN**, was permanently injured.
23. The aforesaid occurrence and resulting injuries to the plaintiff, **JOSHUA R. HOSTEN**, were caused solely as a result of the defendants' negligence, carelessness and recklessness in the ownership, leasing, operation, maintenance and control of the defendants' motor vehicle.
24. The plaintiff, **JOSHUA R. HOSTEN**, sustained a serious injury as defined in Insurance Law §5102(d), or economic loss greater than basic economic loss as defined in Insurance Law §5102(d).
25. By reason of the foregoing Plaintiff, **JOSHUA R. HOSTEN**, sustained serious injuries and economic loss greater than basic economic loss as defined by §5104 of the Insurance law of the State of New York.
26. This action falls within one or more of the exceptions to CPLR §1601 as set forth in CPLR §1602, including sub-paragraphs "2" and "6" thereof.
27. By reason of the foregoing, plaintiff, **JOSHUA R. HOSTEN**, has been damaged in an amount which exceeds the jurisdictional limits of all lower courts which would otherwise have jurisdiction.
28. By reason of the foregoing, plaintiff, **JOSHUA R. HOSTEN**, is not seeking to recover any damages for which plaintiff has been reimbursed by no-fault insurance and/or for which no-fault insurance is obligated to reimburse plaintiff. Plaintiff is seeking to recover only those damages not recoverable through no-fault insurance under the facts and circumstances therein.

WHEREFORE, plaintiff, **JOSHUA R. HOSTEN**, demands judgment against the defendants, **SINGH SUKHVIR DHALIWAL**, and **NEW-WAY TRUCKING, LTD.**

Dated: Queens, New York
Dec. 3, 2021

Yours, etc.



NIYAZOV LAW GROUP, P.C.
Ariel Niyazov, Esq
159-16 Union Turnpike, Suite 300
Fresh Meadows, NY 11366
(347) 702-9898

ATTORNEY VERIFICATION

STATE OF NEW YORK)

) s.s:

COUNTY OF QUEENS)

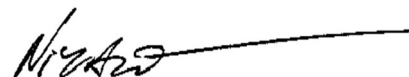
I, Ariel Niyazov, Esq., an attorney duly admitted to practice law in the courts of the state of New York, and the principal of the law firm of NIYAZOV LAW GROUP., state:

That NIYAZOV LAW GROUP, P.C., are the attorneys of record for the plaintiff in the within action.

That I have read the foregoing COMPLAINT in the within action and know the contents thereof, the same are true to my knowledge except those matters therein which are states to be alleged upon information and belief, and as to those matters, I believe them to be true. The reason this verification is made by the undersigned attorney and not by the plaintiff resides in the county other than that in which I do business.

The ground of my beliefs as to those matters therein not states upon knowledge is based upon facts, records, and other pertinent information contained in our legal files maintained in the ordinary course of business.

Dated: Queens, New York
Dec. 3, 2021



Ariel A. Niyazov, Esq

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

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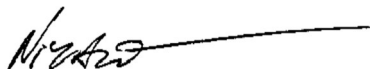
SINGH SUKHVIR DHALIWAL, and
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Defendants,

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VERIFIED SUMMONS & COMPLAINT

Yours, etc.,



NIYAZOV LAW GROUP, P.C.

By: Ariel Niyazov, Esq.

Attorneys for Plaintiff

JOSHUA R. HOSTEN

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